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**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I feel that the proposed settlement is a bad idea. It has too many loopholes, too many easy ways for Microsoft to evade restrictions and penalties. And Microsoft, being Microsoft, WILL take advantage of any opportunities for continued monopolistic behavior.

One of the WORST provisions is the one allowing Microsoft to be selective in whom they release code, interface specs, and the like to. They are being allowed to select only those who have a significant business profile, the big Fortune-500 and similar companies. Currently, far more innovative programming is being done in

the Open Source area, by garage-shop companies and even by individual volunteer programmers. This is the area Microsoft most fears - it is impossible for them to crush competitors who are NOT driven by profit, it is impossible to sue thousands of individual - and THIS is the group who can do the most good for a

competitive market by being given the information that will allow them to build software to give consumers a choice.

I feel that the solution being suggested by the nine states that did not agree with the DOJ settlement, while perhaps not perfect, is FAR SUPERIOR to the DOJ settlement, and should be taken as the base for the eventual final settlement.

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